

IT IS ORDERED as set forth below:



Date: October 29, 2018

Susan D. Barrett

United States Bankruptcy Judge
Southern District of Georgia

**UNITED STATES BANKRUPTCY COURT
Southern District of Georgia**

In re:

**MELVIN THOMAS FLETCHER aka
MELVIN T. FLETCHER**

Debtor(s)

Case No.: **16-10239**

Judge: **Susan D. Barrett**

Chapter: **13**

**ORDER ON MOTION FOR RELIEF FROM STAY
(Official Local Form B-55)**

MOVANT: JPMORGAN CHASE BANK, NATIONAL ASSOCIATION

SUBJECT PROPERTY: 404 RICHMOND STREET, EVANS, GA 30809

After notice and a hearing the Motion is ordered:

☒ Granted

☐ The Trustee will discontinue distribution on the movant's claim and reduce movant's claim to the amount paid if no amended claim is filed within _____ days of this order.

☒ The Trustee shall reduce movant's claim relating to this collateral to the amount paid. Movant is granted leave to seek allowance of a deficiency claim, if appropriate.

☐ Continued to _____ at _____ ☐ am ☐ pm

☐ Continued. The Motion will not be reassigned until a minimum of seven (7) days after Movant files and serves a Request for Assignment of Continued Hearing. That request shall not be filed until discovery is complete, including, if applicable, providing a post-petition payment history to opposing counsel.

☐ Denied.

☐ Denied on the condition that:

☐ The Debtor shall make timely post-petition payments to Movant as required by the Chapter 13 plan.

☐ The Debtor shall tender payments to Movant or take other action as follows:

Post-petition arrearage is _____ through the _____ payment due date, plus attorney's fees of _____ and court costs of _____ for a total arrearage of _____.

☐ Debtor shall pay to Movant the sum of: _____ on or before _____ which sum shall be applied to the above-referenced total arrearage.

☐ Debtor shall cure the foregoing arrearage in full by making additional monthly payments to the Movant in the sum of _____ per month beginning _____ and continuing on the _____ day of each successive month thereafter, with a final additional payment of _____ being due on or before _____.

☐ Debtor shall recommence making regular monthly payments to Movant, as same come due under the applicable loan documents, including any insurance premiums which may come due thereunder, (subject to adjustment if provided in the contract) beginning _____, and maintain current monthly payments thereunder for the pendency of this case. All payments must include the last four digits of the account number ~~----~~6475 and shall be sent to the following address, depending on the type of payment:

**JPMorgan Chase Bank, NA
Attn: Payment Center
3415 Vision Drive/Mail Code OH4-7142
Columbus, OH 43219**

STRICT COMPLIANCE IS ORDERED as follows:

☐ That in the event the debtor fails to comply with the terms of this order, the movant, through its attorney of record, may file an affidavit establishing the default, served upon the debtor and debtor's attorney. Upon the expiration of fourteen (14) days without the filing of a counter-affidavit by the debtor disputing the fact of default, an order will be entered lifting the automatic stay, converting the case to a Chapter 7 or dismissing the case without further motion, notice or hearing.

☐ The strict compliance provision of this Order shall expire on _____.





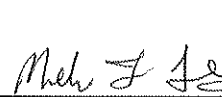

Other provisions:

See Ex "A"

Loan MOD applied for by Debtor.

NOTE TO COUNSEL: THE COURT REQUIRES ANY FORM MODIFICATIONS AND/OR NONCONFORMING TERMS TO BE PLACED IN THE "OTHER PROVISIONS" SECTION ABOVE, OR ON A SEPARATE PAGE.

[END OF DOCUMENT]

			
Attorney for Movant	Attorney for Respondent/Debtor	Debtor	Trustee
Mark L. Wilhelm	Guy Seymour	Melvin T. Fletcher	Jane E. Miller
Name (print)	Name (print)	Name (print)	Attorney for Chapter 13
759049	636570		Name (print): HOON LO
GA Bar No.	GA Bar No.		GA. Bar No. 256304

Prepared by:

s/ Mark L. Wilhelm

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UNITED STATE BANKRUPTCY COURT
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION


In RE: MELVIN THOMAS FLETCHER

Case No. 16-10239

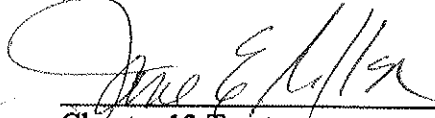
EXHIBIT A

- ☒ The fourteen (14) day stay provision of rule 4001(a)(3) is waived.
- ☒ If Relief is granted under this Order, Movant and Trustee shall thereafter be relived from complying with Fed. R. Bank, P. 3002.1 in the instant bankruptcy case prospectively from the date the relief is granted.
- ☐ Debtor shall make timely payments to the Chapter 13 Trustee in the amount of \$_____, beginning immediately.
- ☐ Debtor shall maintain adequate physical damage insurance on the above collateral at all times naming Movant as "loss payee" under the policy.
- ☐ Debtor and Debtor's Counsel shall be given a _____ day written Right-to-Cure Notice of Default prior to filing an affidavit of default with the Court.
- ☐ In the event of the granting of the relief from Stay by this Court, Movant (Creditor) and Debtor agree to and stipulate that Movant's claim will be disallowed in its entirety (claims _____ and _____) and the Chapter 13 Trustee is directed to stop and cease payments of said claim(s). Movant, thereafter, is permitted to file deficiency claim upon liquidation of the above-described collateral, subject to Debtor's and Trustee's right to object to the amount of and/or the status of such later-filed claim.
- ☒ If Relief is granted, this Relief Order permits activity necessary to obtain possession of said collateral; therefore, all communications sent by Movant in connection with proceeding against the property including, but not limited to, notices required by state law and communications to offer and provide information with regard to a potential Forbearance Agreement, Loan Modification, Refinance Agreement, Loss Mitigation, or other Loan Workout, may be sent directly to Debtor(s).

Prepared by:




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Chapter 13 Trustee

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